

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Daniel J. Klosterman et al.

Application No. 10/607,962
Conf. No. 3065

Filed: June 27, 2003

For: Telemetry System for use with
Microstimulator

Group Art Unit: 3766

Examiner: Bockelman, Mark

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant notes with appreciation the Notice of Allowance in this application mailed October 4, 2006. Accordingly, the Applicant files the issue fee herewith and makes the following comments on the Examiner's Statement of Reasons for Allowance contained in the Notice of Allowance.

As a preliminary matter, Applicant notes that the Examiner's statement of reasons for allowance attached to the Notice of Allowability was titled "Examiner's Amendment." However, there were no amendments made in the paper.

Applicant agrees with the Examiner's conclusions regarding patentability, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant

believes that the application is allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the claims might be paraphrased. Applicants do wish to point out that in the Examiner's reasons that the Examiner has not necessarily correctly characterized the scope of all of the Applicants' allowed claims. Therefore, the Examiner's statements should not be interpreted as indicative of the scope of the Applicants' claims. Instead, each claim should be interpreted pursuant to its specific language.

Respectfully Submitted,

January 03, 2007
Date

/BryantRGold/
Bryant R. Gold
Reg. No. 29,715

Please direct all written and telephonic inquiries to:
Bryant R. Gold
Advanced Bionics Corporation
25129 Rye Canyon Loop
Valencia, California 91355
Telephone: (760) 788-8138 or (661) 362-1771
Fax: (661) 362-1507